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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

6 * * *

7 KEVIN ZIMMERMAN,

8 Plaintiff(s),

9 v.

10 WALGREEN CO.,

11 Defendant(s).

Case No. 2:17-CV-993 JCM (GWF)

ORDER

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13 Presently before the court is the matter of *Zimmerman v. Walgreen Co.*, case number 2:17-
14 cv-00993-JCM-GWF.

15 Federal Rule of Civil Procedure 4(m) provides: “If a defendant is not served within 90 days
16 after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must
17 dismiss the action without prejudice against that defendant or order that service be made within a
18 specified time.” Fed. R. Civ. P. 4(m).

19 The underlying action was filed on April 6, 2017. On July 12, 2017, pursuant to Federal
20 Rule of Civil Procedure 4(m), the clerk of court filed a notice of intent to dismiss if plaintiff did
21 not provide proof of service by August 11, 2017. (ECF No. 8). To date, plaintiff has not
22 demonstrated proof of service on defendant. Dismissal pursuant to 4(m) is proper.

23 Accordingly,

24 IT IS HEREBY ORDERED that *Zimmerman v. Walgreen Co.* (case number 2:17-cv-
25 00993-JCM-GWF) be, and the same hereby is, DISMISSED without prejudice.

26 DATED September 21, 2017.

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UNITED STATES DISTRICT JUDGE